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Monday, 28 November 2011, 3 p.m.

New York

President:	Mr. Moraes Cabral	(Portugal)
Members:	Bosnia and Herzegovina	Mr. Barbalić
	Brazil	Mrs. Viotti
	China	Mr. Li Baodong
	Colombia	Mr. Osorio
	France	Mr. Araud
	Gabon	Mr. Moungara Moussotsi
	Germany	Mr. Wittig
	India	Mr. Hardeep Singh Puri
	Lebanon	Mr. Salam
	Nigeria	Mr. Amieyeofori
	Russian Federation	Mr. Churkin
	South Africa	Mr. Mashabane
	United Kingdom of Great Britain and Northern Ireland	Sir Mark Lyall Grant
	United States of America	Ms. Rice

Agenda

The situation in Libya

Report of the Secretary-General on the United Nations Support Mission in Libya (S/2011/727)

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The meeting was called to order at 3.15 p.m.

Adoption of the agenda

The agenda was adopted.

The situation in Libya

Report of the Secretary-General on the United Nations Support Mission in Libya (S/2011/727)

The President: Under rule 37 of the Council's provisional rules of procedure, I invite the representative of Libya to participate in this meeting.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Ian Martin, Special Representative of the Secretary-General and Head of the United Nations Support Mission in Libya, to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2011/727, which contains the report of the Secretary-General on the United Nations Support Mission in Libya.

I now give the floor to Mr. Ian Martin.

Mr. Martin: It is just three months since Tripoli fell to forces committed to ousting the Al-Qadhafi regime and just one month since the end of serious fighting. Last week, the National Transitional Council (NTC) approved the interim Government formed by the Prime Minister it had elected, Mr. Abdurrahim El-Keib. On the day the ministers were sworn in, last Thursday, I was able to discuss with the Prime Minister, along with one of his two Deputy Prime Ministers and the Minister for Foreign Affairs, the priorities for his Government and for the support of the United Nations, and to have more specific discussions on matters crucial to public security in meetings with the new Ministers of the Interior and Defence.

More than one of my Libyan interlocutors has asked, somewhat rhetorically, how the state of affairs in Libya today compares with the condition of other post-conflict countries so soon after the end of fighting and change of regime. But if the answer to that question is a positive one, it is because Libyans have not been complacent but have shown great initiative and responsibility, especially at the level of their cities, towns and localities. They know that they now face great challenges, requiring effective central and local governance.

The interim Government that is to tackle these challenges until after the election of a National Congress in seven months time comprises two Deputy Prime Ministers and 24 Ministers, selected by Prime Minister El-Keib after extensive consultations. He emphasized his intention to select candidates based on professionalism and relevant experience, and at the same time he appears to have given careful consideration to ensuring representation of the various regions. Only two of the Ministers are women, appointed to the portfolios of Health and Social Affairs.

There is overwhelming agreement that the first and foremost of immediate challenges is in the area of security, and it is a multifaceted challenge. Beyond the needs of the war-wounded and bereaved — to be addressed not only by the new Minister of Health but also by an expanded Ministry of Social Welfare, Families of Martyrs and Missing Persons — determining the future of the revolutionary fighters is fundamental to security in the short and longer terms. The new Minister of Defence has the task of shaping a new army and integrating regular military who fought for the revolution and new brigades formed largely of civilians, and while doing so to manage tensions among them.

The latter challenge is even more immediately one for the new Minister of the Interior. The brigades remain the current providers of public security, notwithstanding the growing deployment of police, but at the same time undisciplined elements within them can threaten public security. There have been further recent security incidents in and around Tripoli. The Minister told us of his plans to bring brigades under the control of his Ministry and to absorb substantial numbers into Ministry of the Interior forces, including the police, and he envisages requesting United Nations support in training and the coordination of international assistance.

We are also prepared to assist the Commission on Warriors' Affairs, which is mandated to have overall responsibility for the future of the revolutionary fighters and for identifying educational and employment opportunities for those not to be integrated into the security forces. It is by finding

futures for the fighters that the weapons that have been in their hands can be brought under control.

The other major aspect of the security situation is the one that so deeply concerns Libya's neighbours and concerned the Council when it adopted resolution 2017 (2011) — the presence and proliferation of conventional and non-conventional weapons and related materiel. Of particular concern is the large number of man-portable air defence systems (MANPADS) and ammunition still unaccounted for, which pose both a disarmament problem for Libya internally and a proliferation risk regionally. While that is a legacy of the Al-Qadhafi regime, the new Government fully recognizes its responsibilities in this respect, and the Prime Minister again expressed to me Libya's willingness to cooperate with international assistance, within a framework of national sovereignty and decision-making.

Over the past few weeks, bilateral partners have been supporting the Ministry of Defence in identifying, securing, storing and, where appropriate, disabling those weapons. It is difficult, however, to make accurate assumptions about the number of MANPADS that are circulating in Libya or may have crossed borders into neighbouring countries. There were no official records kept of the weapons before the revolution, and the Al-Qadhafi forces moved many of them around in the last days of the conflict, including to unofficial storages and caches in residential areas. Initial efforts suggest that a substantial number of these weapons were destroyed during the NATO campaign or have been taken in possession by revolutionary brigades and militias. Reclaiming the latter weapons and transferring them into safe storage sites will need to be part of the larger effort of their integration into the future security forces of the State and specific demobilization and weapons abatement programmes.

A full and reliable picture of all MANPADS storage sites or current holders of these weapons does not exist to date. Despite individual media reports about such weapons having been sighted in neighbouring countries or claims by groups in neighbouring countries that they have gained access to these weapons, the United Nations Support Mission in Libya (UNSMIL) has not yet received verifiable information of such occurrences.

Meanwhile, UNSMIL has been briefed on Libya's related efforts to establish an effective border security and management system. We have shared our information with the members of the Panel of Experts who visited Tripoli recently, and intend to work closely with all concerned to ensure a coordinated approach to the implementation of resolution 2017 (2011). For UNSMIL to continue to facilitate and coordinate international support to the efforts of the Government in this area as effectively as possible and to assist in coordination with neighbouring countries, we will be building a dedicated capacity within the Mission.

As far as chemical weapons and nuclear materials are concerned, the picture is far clearer and more encouraging. The report of the Secretary-General records the satisfactory outcome of the first post-conflict visit of the inspectors of the Organization for the Prohibition of Chemical Weapons (OPCW). The OPCW is planning a further visit in December, including to two sites in Sabha and Sokna, now formally declared to them by the new Libyan authorities, where additional materials have been found and the sites secured. The International Atomic Energy Agency is planning its first visit of safeguards inspectors to Libya, also in December. UNSMIL provides security and logistics support to these efforts, as requested.

The Government will need a little time to work out the different responsibilities of its ministries and other bodies in addressing all these tasks across the security sector — integration and demobilization, training and development of police and a new army, weapons control and border management — but there is no doubt about its sense of urgency. Nor is there any doubt about its desire for United Nations support and coordination of international actors. The Prime Minister has asked us for a detailing of potential United Nations assistance in these areas, and we shall be providing this and discussing it with him and relevant ministers.

The security situation and the way in which it develops in the near future cannot be separated from Libya's urgent need for liquid funds. This has been emphasized and re-emphasized to me by every interlocutor, from the Chairman of the National Transitional Council and the Prime Minister down, and is echoed in the popular claim that Libya has the right to resume the control of its assets. It needs to be clear that assets are not being withheld for any longer than is required by the rationale of resolutions 1970 (2011) and 1973 (2011), and that asset-holding countries are

making every effort — as must Libyan authorities themselves — to overcome as quickly as possible the technical requirements for funds to flow. I hope that the Council, the main asset-holding countries and the Libyan authorities can speedily agree on a coordinated approach to these issues. The stabilization of the country, the success of the Government and the perception of the international community are all at stake.

The contrast between the knowledge that Libya has great national wealth and the inability of citizens even to draw fully from their own bank accounts is an inflammatory one, coming at a time when a new Government needs not only to deliver but also to manage expectations. Related effects are also felt regarding United Nations support. While the Joint Mine Action Coordination Team (JMACT), in which the United Nations Mine Action Service works with international non-governmental organizations, continues to clear areas and to promote risk education for the affected population, there remains an urgent need to expand such activities. JMACT is ready and able to undertake this expansion, but substantial additional donor resources are urgently required pending the receipt of Libyan Government support. The assumption that funding by international donors is not required, in this and other areas, because of Libya's wealth will become true only when the Government actually has sufficient funds to meet the country's most urgent priorities.

In his report as well as during his visit, the Secretary-General has continued to emphasize the importance of national reconciliation and the need to address the legacy of human rights violations, as well as current human rights issues. The National Transitional Council is planning a major national meeting on reconciliation in December, to be addressed among others by Libya's foremost religious leader, Sheikh Sadiq Al-Gheriani, with whom I had the privilege to discuss these issues recently. The Prime Minister told me of his intention to ensure that his Government builds on local efforts already taking place and the work of the NTC itself. The challenge of transitional justice is highlighted by the strong desire in Libya that Saif al-Islam Al-Qadhafi and other prominent figures of the Al-Qadhafi regime, if others are captured or extradited to Libya, be put on trial in the country.

Meanwhile, UNSMIL is working closely with the National Commission for the Search and Identification of Missing Persons in operationalizing its mandate and encouraging the international community to provide it with technical and other support. I had an immediate opportunity to urge the Ministers of the Interior and Defence to give high priority to addressing swiftly the concerns regarding detention set out in the report of the Secretary-General. Today in Tripoli, my colleagues have done the same, and offered the assistance of the United Nations, in UNSMIL's first meeting with the new Minister of Justice. It is indicative of the difference from the attitudes of the past regime that there is no denial that human rights are being violated, and in most cases international organizations are granted access to detainees. The new Minister of the Interior told me he welcomed public criticism as strengthening his hand in tackling the issues.

But my meetings in Tripoli with many of the diplomatic representatives of African countries with nationals in detention have further illustrated for me and my colleagues the seriousness of the issue, and the new Government must show that it is a priority for effective action. The authorities have expressed their intention to work with partners on establishing a legal framework for managing migration, and this too is a matter of urgency. The protection of internally displaced persons, minorities and migrant workers from sub-Saharan Africa was a focus of the visit my Deputy has just made with national counterparts to the south of Libya.

I can report some further progress beyond that reflected in the report of the Secretary-General regarding the path to election preparations. On 20 November, the NTC formally appointed an eight-member committee to study requirements for the election process, work with international organizations and prepare the appointment of a chairperson and members of an electoral commission and its budget.

The committee's chairman and other members are persons with whom the UNSMIL electoral team had already been working. We have continued to stress that if credible elections for a national congress are to be held by June 2012, early decisions have to be made on the electoral system, including the number and size of electoral constituencies and the electoral formula, as well as possible special measures for women and other groups; on the eligibility of candidates and voters; and on the authority, composition and appointment of the

electoral commission. The time period for legislation to be adopted is brief, yet a process of consultation is essential as Libyan civil society and emerging political groups begin to debate election issues.

Women are asserting themselves as active participants in this vibrant civil society. I and several of my colleagues took part earlier this month in a five-day national conference organized by two women's organizations, based respectively in Tripoli and Benghazi, to promote awareness and strategize regarding issues affecting women in Libyan society. The event was the first of its kind in the aftermath of the revolution, and reflected the courage, determination and adaptability of Libyan women in the face of changing circumstances.

The coming into office of the new Government is also the moment to review the arrangements for coordination regarding assessment of needs for international assistance, agreed in principle with NTC representatives, and to launch those assessments it regards as priorities under the leadership of the counterparts it designates. I am glad to have had the recent opportunity to visit the United Arab Emirates and Qatar to discuss cooperation in support of Libya, and look forward to the international community in Tripoli being joined by the special representatives of the League of Arab States and of the African Union, which those organizations have stated their intention to appoint. Cooperation with the African Union will be especially important regarding issues affecting Libya's neighbours and the wider region, and UNSMIL will be represented in the inter-agency mission, led by the Department of Political Affairs, that will visit Sahel countries in December to assess country-specific and regional needs and recommend a system-wide strategy for United Nations response.

The report of the Secretary-General concludes with the recommendation of a three-month extension of the mandate of UNSMIL. I think it is evident to members of the Council why it has not been appropriate to make recommendations for a 12-month period before the Government was in place. To have attempted to do so would have been to violate the principle of national ownership, which the Council has repeatedly agreed must guide us.

The Secretary-General's 19 August 2011 report on civilian capacity in the aftermath of conflict stated that

> "Early planning must include a strong field perspective, with United Nations staff already in country working with national stakeholders to assess national priorities and existing national capacity, including in the diaspora. This will help to ensure that planning is driven by national priorities and needs and not by the availability of international staff or other resources" (*S/2011/527, para. 17*).

That is indeed the approach to which we are committed, in a post-conflict context very different from any other. Time will still be short to engage with Libyan stakeholders to present recommendations that reflect their views for Council consideration in March, and flexibility will still be required beyond that. We have set some precedents in our early planning for post-conflict Libya and our speed of response. I trust that we will continue to have the support of the Council as we build on those.

The President: I thank Mr. Martin for his briefing.

I now invite Council members to informal consultations to continue our discussion on the subject.

The meeting rose at 3.30 p.m.